

REMARKS

Applicants respectfully request reconsideration of the application. Claim 20 stands rejected under 35 U.S.C. Section 112 as being indefinite. Applicants have amended claim 20 to correct a typographical error, changing "gave" to "game." This correction merely fixes a typographical error and does not change the claim scope.

Claims 1-3, 5-16 are rejected as being anticipated by U.S. Patent No. 6,553,129 to Rhoads (the '129 patent). Rhoads is a co-inventor of the present application and is the sole inventor of the '129 patent. The priority claim has been amended to claim priority through the application that issued as the '129 patent. Since there is a common inventor, common subject matter, and co-pendency of this application with the application that issued as the '129 patent, the priority claim is proper. As a result of this priority claim, the '129 patent is not prior art. Therefore, the rejection based on the '129 patent is moot.

Applicants acknowledge with appreciation the indication that claims 4, 17-23 contain allowable subject matter. Since the rejection to the other claims has been addressed by the priority claim, all of the claims should be in condition for allowance.


Date: November 13, 2003

Customer Number 23735

Telephone: 503-885-9699
FAX: 503-885-9880

Respectfully submitted,

DIGIMARC CORPORATION

By 
Joel R. Meyer

Registration No. 37,677